

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES MARTIN,

Plaintiff,

vs.

NOTICE OF MOTION

CITY OF NEW YORK, et al.

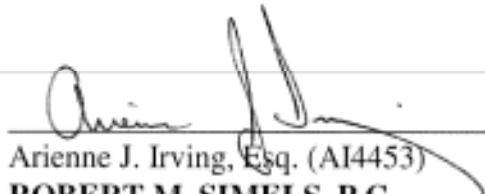
Civil No. 07-CV-2996

Defendants.

PLEASE TAKE NOTICE, that upon the affidavit of Arienne J. Irving, Esq., sworn to on the 8th day of November, 2007, a motion pursuant to FRCP 15(c)(3) and pursuant to FRCP 4(m) will be made before the Hon. Alvin K. Hellerstein, USDJ, at the United States Courthouse, 500 Pearl Street, New York, New York at a date and time to be determined by the Court for an order granting leave to plaintiff to serve the proposed *first* amended complaint as presented herein and to enlarge the time to serve defendants for good cause shown. The grounds for this motion are fully set forth in the accompanying attorney affirmation.

The above entitled action is brought by the plaintiff for violations of his rights as guaranteed by the 8th Amendment to the United States Constitution.

DATED: November 8, 2007
New York, New York


Arienne J. Irving, Esq. (AI4453)

ROBERT M. SIMELS, P.C.

Attorneys for Plaintiff
1735 York Avenue, Suite 35 C
New York, New York 14075
Telephone: (212) 369-3900